

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 * * *

9 Andrew et al.,

10 Plaintiffs,

11 v.

12 Century Surety Co.,

13 Defendant.

Case No. 2:12-cv-00978-APG-PAL

**ORDER GRANTING PLAINTIFFS'
MOTION TO EXTEND THE PAGE
LIMIT FOR PLAINTIFFS' REPLY IN
SUPPORT OF MOTION FOR
SUMMARY JUDGMENT**

14 On January 2, 2013, Dana Andrew and Ryan Pretner ("Plaintiffs") filed their Motion to
15 Extend the Page Limit for Plaintiffs' Reply in Support of Motion for Summary Judgment
16 ("Motion"). (ECF#48). On January 3, 2013, Century Surety Company ("Defendant") filed its
17 Opposition to Plaintiffs' Motion to File a 30-Page Reply Brief in Support of Plaintiffs' Motion
18 for Summary Judgment; In the Alternative Request for Leave to File a Surreply ("Response").
19 (ECF#50). On January 11, 2013, Plaintiffs filed their Reply in Support of Motion to Extend Page
20 Limit for Plaintiffs' Reply in Support of Motion for Summary Judgment) ("Reply"). (ECF#58).
21 The parties have made specific, and unsurprisingly, competing requests of the Court.

22 Plaintiffs ask the court to strike Defendant's "Appendix 'A'" to Defendant's Response in
23 Opposition to Plaintiffs' Motion for Summary Judgment (ECF#22). (Motion at 2-3). The Court
24 denies that request. Plaintiffs also ask the Court to allow Plaintiffs to "submit a Reply brief
25 consisting of up to thirty (30) pages." (*Id.* at 3). On January 2, 2013, Plaintiff actually filed a
26 forty-one page reply brief, together with newly filed Exhibits 28,29,30,31, and 32 ("Exhibits");
27 collectively, the submission is 597 pages in length. (ECF#49). The Court grants Plaintiffs'
28

1 request to extend the page limit, including the additional pages beyond the original thirty page
2 request.

3 Defendant asks that the court strike the following items from Plaintiffs' reply brief
4 (ECF#22): (1) the arguments contained on pages 23-28 (Response at 2), (2) the arguments
5 contained on pages 2-5 (*id.*), and (3) each of the newly filed Exhibits (*id.* at 2-3). The Court
6 denies each of those requests. Alternatively, Defendant requests that the court grant Defendant
7 the right to file a surreply within fourteen days of the filing of the Court's order on the Instant
8 Motion. However, Plaintiffs ask in their Reply that the Court deny Defendant the right to file a
9 sur-reply to Plaintiff's 41-page Reply and 556-page exhibit submission. (Reply at 12). The Court
10 agrees, and denies Defendant's request to file a sur-reply.

11 For good cause showing, Plaintiffs' Motion to Extend the Page Limit for Plaintiffs' Reply
12 in Support of Motion for Summary Judgment, ECF#48, is **GRANTED**.

13 It is also ordered that Defendant's Alternative Motion to File a Sur-reply Within Fourteen
14 Days of the Filing of this Court's Order, ECF#50, is **DENIED**.

15 It is further ordered that all other requests contained in ECF##48, 50, and 58, are
16 **DENIED**.

17
18 DATED this 27th day of September, 2013.

19
20
21 
22 _____
23 ANDREW P. GORDON
24 UNITED STATES DISTRICT JUDGE
25
26
27
28